

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:16CR241
)
vs.)
)
SHERMAN JOHNSON, JR.,)
SARKIS LABACHYAN,)
)
Defendants.)

This matter is before the court on the defendant Sherman Johnson Jr.'s Unopposed Motion to Continue Trial [97]. Pursuant to the hearing held on September 26, 2017, the court granted the defendant's request for a continuance. The Defendant waived his right to speedy trial on the record at filing [98].

IT IS ORDERED that the Motion to Continue Trial [97] is granted, as follows:

1. The jury trial, **for both defendants**, now set for October 23, 2017 is continued to **January 16, 2018**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 16, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED September 27, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge